

518 Rec'd PCT/PTO 30 JUL 2001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
WSUR117373		
U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)		
09/830,529		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/US99/25350	26 October 1999 (26.10.99)	27 October 1998 (27.10.98)
TITLE OF INVENTION		
USE OF CLAY AND LIPID FORMULATIONS TO PROTECT HORTICULTURAL CROPS FROM SUNBURN AND INSECT DAMAGE		
APPLICANT(S) FOR DO/EO/US		
KAMMERECK, Rudolf and SCHRADER, Lawrence E.		

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Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. is attached hereto (required only if not communicated by the International Bureau).
  - b. has been communicated by the International Bureau.
  - c. is not required, as the application was filed in the United States Receiving Office (RO/US).

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

- 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
- 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. are attached hereto (required only if not communicated by the International Bureau).
  - b. have been communicated by the International Bureau.
  - c. have not been made; however, the time limit for making such amendments has NOT expired.
  - d. have not been made and will not be made.
- 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 20. below concern document(s) or information included:**

- 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- 13. A FIRST preliminary amendment.
- 14. A SECOND or SUBSEQUENT preliminary amendment.
- 15. A substitute specification.
- 16. A change of power of attorney and/or address letter.
- 17. A computer-readable form of the sequence listing in accordance with 35 U.S.C. 1.821 – 1.825.
- 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- 20. Other items or information: Copy of Form PCT/DO/EO/905 (Notification of Missing Requirements).

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X 21. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1,000  
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.... \$860  
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$710  
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$690  
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100

**ENTER APPROPRIATE BASIC FEE AMOUNT = \$**

Surcharge of \$130 for furnishing the oath or declaration later than 20  30 months from the earliest claimed priority date (37 CFR 1.492(e)). **\$130.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =		X \$18	\$
Independent claims	- 3 =		X \$80	\$

**MULTIPLE DEPENDENT CLAIMS(S) (if applicable)** **+ \$270** **\$**

**TOTAL OF ABOVE CALCULATIONS = \$130.00**

X Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. **\$65.00**

**SUBTOTAL = \$65.00**

Processing fee of \$130 for furnishing the English translation later than 20  30 months from the earliest claimed priority date (37 CFR 1.492(f)). **+ \$**

**TOTAL NATIONAL FEE = \$65.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property **+ \$40.00**

**TOTAL FEES ENCLOSED = \$105.00**

08/02/2001 MNGUYEN 00000034 09830529	Amount to be: refunded	\$
01 FC:254 65.00 0P	charged	\$

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

a. Check No. 130483 in the amount of \$65.00 and Check No. 130482 in the amount of \$40.00 to cover the above fees are enclosed.

b. Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

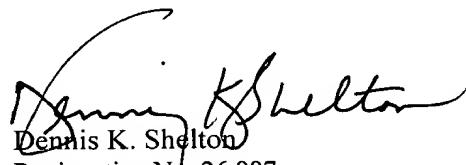
SEND ALL CORRESPONDENCE TO:

**Customer No. 26389**

Dennis K. Shelton  
 CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
 1420 Fifth Avenue  
 Suite 2800  
 Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR  
 JOHNSON KINDNESS<sup>PLLC</sup>

  
 Dennis K. Shelton  
 Registration No. 26,997  
 E-Mail Address: dennis@cojk.com

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to the Commissioner for Patents, Washington, D.C. 20231, on the below date.

Date: July 24, 2001



DKS:cj

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